

## **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DISTRICT**

VARILEASE FINANCE, INC.,  
and VFI KR SPE I LLC,

Case No. 22-cv-12875

Plaintiffs,

Hon. Bernard A. Friedman

v.

INTERCONTINENTAL  
CAPITAL GROUP, INC., and  
DUSTIN A. DIMISA,

Defendants.

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**DECLARATION OF HOWARD STEIN**

I, Howard Stein, make this declaration under 28 U.S.C. § 1746:

1. I have been the CFO of Intercontinental Capital Group, Inc. (“ICG”) since 2015.

2. I have reviewed the Declaration of Dustin DiMisa and, if called upon to testify, I can independently confirm the accuracy of the facts set forth therein.

3. In particular, in early May of 2021, Plaintiffs verbally promised me and Mr. DiMisa that Plaintiffs would not assert an all-asset lien in connection with the loan that became “Loan #3”. Mr. DiMisa stated that he wanted “something in writing” to that effect before ICG closed the loan. In response, Mr. DiMisa and I received Mr. Korte’s May 7, 2021 email as reflected in Mr. DiMisa’s declaration.

4. At no time between receipt of that email and the closing on Loan #3 did Plaintiffs ever tell me that they had changed their mind in this regard, and ICG would not have closed on Loan #3 had they so communicated.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 16, 2023:

A handwritten signature in black ink, appearing to be "JLH", is written above a horizontal line.

4895-9838-3185 v2 [104461-1]